

Montana Stockgrowers Association Inc.
House Federal Relations, Energy & Telecommunications Committee
Testimony "Opposing" H.B. 198
January 12, 2011

Good afternoon Mr. Chairman and members of the committee, for the record my name is Errol Rice. I am testifying in opposition to H.B. 198 on behalf of the Montana Stockgrowers Association Inc.

Our opposition is not hinged on the intent to impede Montana's economic growth. Rather we are forced to oppose this measure as a precedent to establishing a private firm's ability to take private property through the use of eminent domain.

We appreciate the arguments made by the proponents. We appreciate the realities and limitations that public utilities represent. However, proponents must also take into account the realities and limitations that we represent. This is to grow and deliver affordable beef protein to a growing and demanding global population. It must also be done beneath a microscope of preserving Montana's complex natural landscape, history, economy, ethics and social values.

We cannot achieve this without the balancing of a private property owner's constitutional right to acquire, possess, and protect property. This too is an essential element for our economic prosperity. Ranching and beef production is one of Montana's most prolific and dynamic economic engines. Contributing \$1 Billion annually to Montana's economy.

H.B. 198 in our opinion gives the Major Facilities Siting Act (MFSA) far too much say-so over our protection of private property.

Mr. Chairman we understand that the stakes are high for pending projects that have already been approved by the Major Facilities Siting Act (MFSA). However, the stakes are also high for a sustainable ranching economy.

As an alternative approach, we would instead prefer that this committee work to make innovative modification to statute that strengthens standards for siting and due process. Develop and advance policy that ensures equitable, transparent and achievable outcomes for both ranchers and public utility providers. There are multiple important factors.

Thank you and I again urge you to vote NO on H.B. 198. Let's work to find a more pragmatic solution to the MATL impasse.